

Rec'd PCT/PTO 30 SEP 2004

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**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: My residence, post-office address, and citizenship are as stated below next to my name,  
I believe that I am an original joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**RECOMBINANT POXVIRUS EXPRESSING HOMOLOGOUS GENES INSERTED INTO THE POXVIRAL GENOME**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Applications**

Country	Number	Filing Date	Priority claimed
DK	PA200200753	16 May 2002	Yes
DK	PA200200752	16 May 2002	Yes

I hereby claim the benefit under 35 USC 120 of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States Application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Filing Date	Status
PCT/EP03/05047		Pending

I hereby appoint as attorneys to prosecute this application and to transact all business connected therewith: **Herbert Dubno, Reg. 19,752; Jonathan Myers, Reg. 26,963; Andrew Wilford, Reg. 26,597** and each of them individually.

Address all correspondence to:

**The Firm of Karl F. Ross, P.C.  
Customer Number 535**

**5676 Riverdale Avenue, Box 900  
Bronx, New York 10471-0900**

Direct all telephone calls to:

**(718) 884-6600**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

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Ser. No. Not known - US phase of PCT/EP03/05047

both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

**Paul HOWLEY**

Inventor's signature

*PM Howley*

Date:

*9/8/04*

Residence: **Glen Waverly, Australia**

**Citizen of Great Britain**

Post-office Address: **60 Rose Avenue, VIC 3150 Glen Waverly, Australia**

Full name of second inventor:

**Sonja LEYRER**

Inventor's signature

*S. Leyrer*

Date:

*29.08.2004*

Residence: **Munich, Germany**

**Citizen of Germany**

Post-office Address: **Fürstenriederstrasse 272, D-81377 Munich, Germany**

# Power of Attorney

(Handlungsvollmacht)

Bavarian Nordic A/S, CVR-no. 1627 1187, Bøgeskovvej 9, DK-3490 Kvistgaard, Denmark herewith authorise Dr. Petra Pielken to sign and execute on behalf of Bavarian Nordic A/S, all documents relating to filing, prosecution and issuance of patents in the name of Bavarian Nordic A/S and its subsidiaries, as well as to represent Bavarian Nordic A/S in all matters relating to intellectual properties.

This authorisation remains in force until further notice.

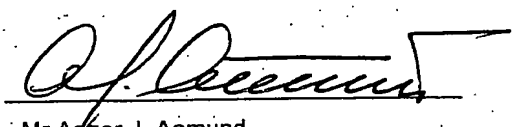
Bavarian Nordic A/S, CVR-no: 1627 1187, Bøgeskovvej 9, DK-3490 Kvistgaard, Denmark bevollmächtigt hiermit Dr. Petra Pielken für die Bavarian Nordic A/S sowie ihrer Tochtergesellschaften auf dem Gebiet des Gewerblichen Rechtsschutzes zu handeln und zu zeichnen und das Unternehmen auf diesem Gebiet nach aussen hin zu vertreten.

Diese Vollmacht is gültig bis auf Widerruf.

Signed on behalf of Bavarian Nordic A/S before a Notary in København, Denmark on 11/6 2004

  
Mr Peter S. Wulff

CEO and President

  
Mr Ager J. Aamund

Chairman of the Board

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60000-00347/2004

11.06.2004 R  
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**BAVARIAN NORDIC**



This is to certify that **Peter Samuel Wulff** and **Asger Joseph Aamund**, who today in my presence at the Notarial Office approved and signed this document, pursuant to a transcript from the Danish Commerce and Companies Register have powers to sign on behalf of the Company.

**Peter Samuel Wulff** has proved his identity by showing passport number 1020 18666.

**Asger Joseph Aamund** has proved his identity by showing passport number 1004 20882.

The Court in Helsingør, Denmark, 2004.06.11.

  
Charlotte Løfberg  
Notary Public



This is to certify that the above signature given ex officio is that of Charlotte Løfberg acting notary public of Helsingør, Denmark  
Copenhagen, 16-06-2004  
The Danish Court Administration

  
J. Roelsgaard



THE TRUE SIGNATURE OF  
J. Roelsgaard  
IS HEREBY CERTIFIED.  
COPENHAGEN, 16 JUNI 2004  
FOR THE MINISTER FOR FOREIGN AFFAIRS.  
B.A.



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